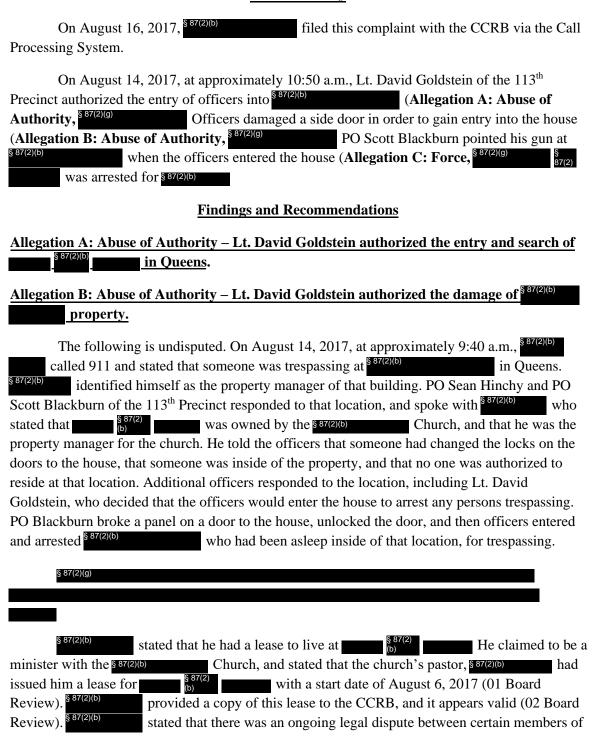
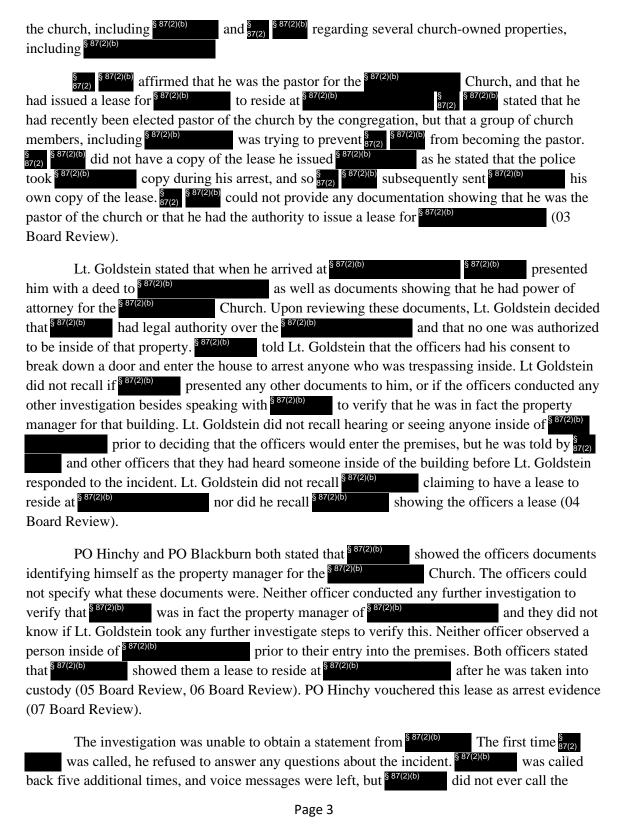
## CCRB INVESTIGATIVE RECOMMENDATION

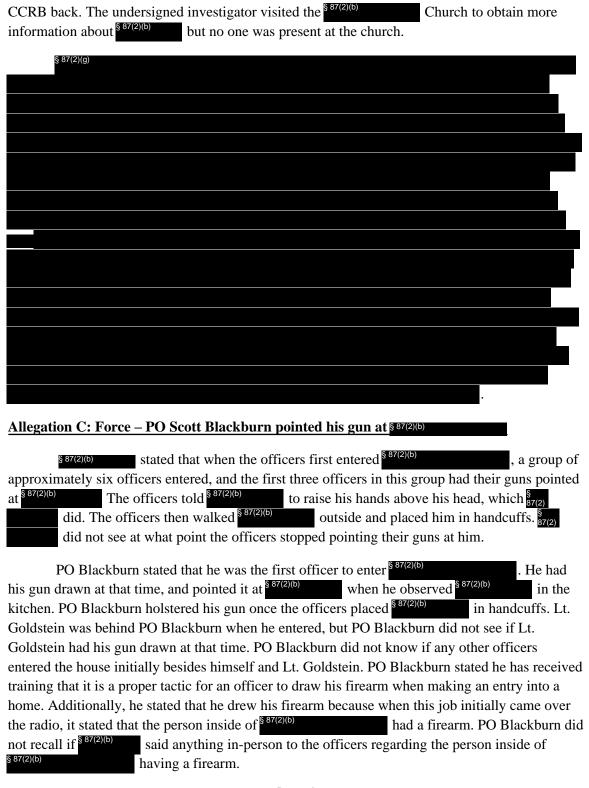
Investigator:		Team:	CCRB Case #:	<b>7</b>	Force	☐ Discourt	. U.S.	
Harry Feigen		Squad #13	201706758		Abuse	O.L.	☐ Injury	
Incident Date(s)		Location of Incident:	•	Pı	recinct:	18 Mo. SOL	EO SOL	
Monday, 08/14/2017 10:52 AM		§ 87(2)(b)		113 2/14/2019 2/14/2019				
Date/Time CV Reported		CV Reported At:	How CV Reported:	: ]	Date/Time Received at CCRB			
Wed, 08/16/2017 5:36 PM		CCRB Call Processing System Wed, 08/16/20		6/2017 5:36 PM	M			
Complainant/Victim	Type	Home Addre	ess					
Witness(es) Home Address								
Subject Officer(s)	Shield	TaxID	Command					
1. POM Scott Blackburn	10437	941432	113 PCT					
2. LT David Goldstein	00000	932721	113 PCT					
2. LT David Goldstein  Witness Officer(s)	00000 Shield N		113 PCT Cmd Name					
Witness Officer(s)	Shield N	o Tax No 962477	Cmd Name		Inve	estigator Reco	mmendation	
Witness Officer(s) 1. POM Sean Hinchy	Shield N 19916 Allegation	o Tax No 962477 on t. David Goldstein author	Cmd Name 113 PCT orized the entry and	searc		estigator Reco	mmendation	
Witness Officer(s)  1. POM Sean Hinchy  Officer(s)	Shield N 19916 Allegation Abuse: L of \$87(2)(b)	o Tax No 962477  on t. David Goldstein author	Cmd Name 113 PCT orized the entry and eens			estigator Reco	mmendation	

## **Case Summary**



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Lt. Goldstein stated that PO Blackburn and several other officers made the initial entry . Lt. Goldstein could not recall who the other officers were with PO Blackburn who first entered the premises and apprehended §87(2)(b) Lt. Goldstein denied that he was one of the officers who first entered the location. Lt. Goldstein did not know if the officers who first entered the house had their guns drawn, and he did not see any officers point their guns at § 87(2)(b) during this incident. Lt. Goldstein did not recall having any reason to suspect that the person inside of § 87(2)(b) had a firearm. PO Hinchy also stated that he remained outside of \$87(2)(b) when the first group of officers entered the house and placed § 87(2)(b) in handcuffs. PO Hinchy did not know who any of the officers were who first entered the house, and he did not know if these officers had their guns drawn when they entered. PO Hinchy denied that he ever learned of any potential weapons or safety threats inside of §87(2)(b) The event report for this incident states that a male and a female were trespassing at , and that a possible gun was involved (08 Board Review). An officer is justified in pointing his gun at a person if he has reasonable grounds to believe the person is armed and dangerous. People v. Finlayson, 76 A.D.2d 670 (1980) (09 Board Review).

## **Civilian and Officer CCRB Histories**

- This is § 87(2)(b) first CCRB complaint.
- Lt. Goldstein has been a member of service for 14 years. There are no substantiated allegations on his record. He has four discourtesy allegations on his record across four cases. Two have been closed as "victim unavailable" and two as "unsubstantiated." There are three physical force allegations on his record across three cases. One has been closed as "exonerated," one as "victim uncooperative," and one is still under investigation. There are three threat of force allegations on his record across two cases. One has been closed as "unsubstantiated," and two are still under investigation.

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• PO Blackburn has been a member of service for 11 years. There are no substantiated allegations on his record, \$87(2)(9)

## Mediation, Civil, and Criminal Histories

- This case was not suitable for mediation, due to \$87(2)(b) arrest.
- A notice of claim request was submitted to the NYC Comptroller's Office on November 17, 2017. On November 27, 2017, it was returned with negative results (10 Board Review).

[3 67(2)(0)] [33 60	0(1)(3)&(4)][§ 67(2)(6)]	F) [3 or (2)(c)]					
. =							
Squad No.:							
Investigator:	Signature	Print Title & Name	Date				
Squad Leader:	Signature	Print Title & Name	Date				
Reviewer:	Signature	Print Title & Name	Date				

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